

## UNITED STATES DISTRICT COURT

United States District Court  
Southern District of Texas  
FILED

for the

Southern District of Texas

DEC 19 2019

United States of America

v.

Vincent Andrew GUTIERREZ

David J. Bradley, Clerk

Case No. M-19-3042-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 23, 2019 - December 18, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 2252A (a)(2)(A)

Receipt of Child Pornography

18 U.S.C. 2252 (a)(4)(B)

Possession of Child Pornography

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

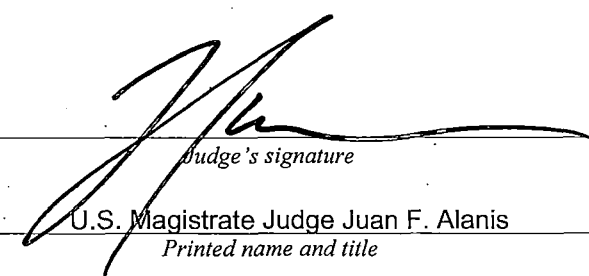
Approved ALISA M. McCall  
12/19/19

Complainant's signature

Andrew Hurd, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/19/2019City and state: McAllen, Texas  
Judge's signatureU.S. Magistrate Judge Juan F. Alanis  
Printed name and title

ATTACHMENT "A"

On June 6, 2019, the Rio Grande Valley Child Exploitation Investigation Taskforce "RGV CEITF" served a federal search warrant at 1612 Orange Ave. Apt. 5, Weslaco, Texas 78596. Rene TAFOLLA (DOB:05/24/1979) was interviewed and confessed to downloading videos of child pornography. During the interview on June 6, 2019, TAFOLLA stated a friend named "Vincent," had taught him about 4Chan, BitTorrent, and sent him links to download child pornography. TAFOLLA stated he would download videos of child pornography, masturbate to them, and then delete them. TAFOLLA stated that some of the websites Vincent sent him were in "other languages, such as Russian, French, etc."

On August 8, 2019, a debrief with Rene TAFOLLA was conducted at the Assistant United States Attorney's Office in McAllen, Texas. TAFOLLA identified 1602 E. Quail St., Apt. C, Pharr, Texas 78577 as Vincent's residence. Though investigative research it was revealed that Vincent Andrew GUTIERREZ is a resident of 1602 E. Quail St., Apt. C, Pharr, Texas 78577.

On September 18, 2019, SA Hurd submitted a summons request to Charter Communications, Inc. dba Spectrum, for subscriber information of 1602 E. Quail St., Apt. C, Pharr, Texas 78577 as it pertained to the subscriber from April 2019 to the date of the summons.

On September 20, 2019, SA Hurd received the summons return from Charter Communications, Inc. dba Spectrum, for subscriber information of 1602 E. Quail St., Apt. C, Pharr, Texas 78577 from April 2019 to the date of the summons.

Subscriber Name: Vincent Andrew Gutierrez

Subscriber Address: 1602 E. Quail Street, Apt. C, Pharr, Texas 78577

IP Address: 24.167.86.198

Phone Number: (956) 258-1351

Account Number: 8260180050973807

MAC: 48:5F:99:FA:FD:5F

Lease Start: 04/06/2019

Investigative research revealed that IP address 24.167.86.198 downloaded files identified as child pornography on 04/23/2019. On April 23, 2019, (4) Unique info hashes were observed on BitTorrent that are known to be associated with child pornography material. Listed below are the info hashes observed between approximately 4/23/2019 3:26:14 PM and 4/23/2019 4:16:43 PM.

da1dd785573f2dca45738e3ec8e43722a2e24dc3 – a torrent described by Project VIC as containing files depicting pre-pubescent children engaged in sexual acts. Approximately (39) of these files have been identified by Project Vic through their known hash values.

f7a798e1d9bae8ef64d1117118edbc1d54de1fc6 – a torrent described by Project VIC as containing numerous videos of pre-pubescent children being sexually assaulted. Multiple files have been identified by Project Vic through their known hash values.

f9bdba3f50bdcf205d969b32c613f1f7fbf28309 – a torrent described by Project VIC as containing numerous video files of pre-pubescent / pubescent children engaged in sexual activity. Multiple files have been identified by Project Vic through their known hash values.

The phone number on file with Charter Communications, Inc. dba Spectrum, (956) 258-1351, is identified as the number under the listing "Vince" in TAFOLLA's phone that sent him links to 4chan, which contained child pornography, and taught him how to download torrent files of child pornography. Specifically, on February 21, 2019, the phone number identified as "Vince" sent a link to TAFOLLA's phone that provided a menu of pornography, which included access to child pornography.

On December 18, 2019, the HSI led RGV CEITF served a residence search warrant at 1602 E. Quail St., Apt. C, Pharr, Texas 78577. Initial investigative efforts found a laptop computer belonging to Vincent Andrew GUTIERREZ contained torrent files with the title "PTHC," an acronym for the phrase "Pre-teen Hardcore." PTHC normally refers to images or videos of pre-pubescent teenage boys and girls engaged in hardcore sexual acts, to include oral, vaginal, and anal penetration.

A forensic analysis of the laptop computer found evidence of the receipt of child pornography through the downloading of torrent files containing videos of minor children engaged in sexual acts meeting the federal definition of child pornography.